

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>3581.10US01</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/586.111</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2005/050131</b>	INTERNATIONAL FILING DATE <b>13 January 2005</b>	PRIORITY DATE CLAIMED <b>16 January 2004</b>
TITLE OF INVENTION <b>IMMUNOKINASES</b>		
APPLICANT(S) FOR DO/EO/US <b>BARTH, Stefan; TUR, Mehmet Kemal; STOCKER, Michael and FISCHER, Rainer</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/586,111</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2005/050131</b>		ATTORNEY'S DOCKET NUMBER <b>3581.10US01</b>	
20. Other items or information:  Response to the Notification of Missing Requirements - 2 pages; Copy of the Notification of Defective Response mailed 23 June 2008 - 2 pages; Compact Disc Transmittal Sheet - 1 page; 2 Identical Compact Discs; Verified Statement Under 37 CFR 1821(f) - 1 page; Hard Copy of Sequence Listing - 19 pages; and return postcard.					
The following fees have been submitted				<b>CALCULATIONS</b>	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... <b>\$300</b>				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b>					
All other situations..... <b>\$200</b>					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b>					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... <b>\$100</b>					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... <b>\$400</b>					
All other situations..... <b>\$500</b>					
<b>TOTAL OF 21, 22 and 23 =</b>					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x <b>\$250</b>	\$	
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x <b>\$ 50</b>	\$	
Independent claims	- 3 =		x <b>\$200</b>	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$360</b>	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.					
<b>SUBTOTAL =</b>				\$	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				+	
<b>TOTAL FEES ENCLOSED =</b>				\$ <b>00</b>	
				Amount to be refunded:	\$
				Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

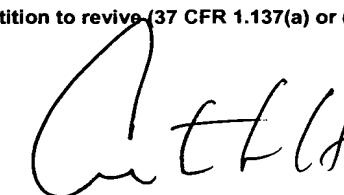
- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3863. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

**ADVISORY:** If filing by EFS-Web, do **NOT** attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is **not** recommended and by doing so your **credit card information may be displayed via PAIR**. To protect your information, it is recommended paying fees online by using the electronic payment method.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Curtis B. HERBERT  
Customer No. 62274  
Dardi & Associates, PLLC  
US Bank Plaza, Suite 2000  
220 South 6th Street  
Minneapolis, Minnesota 55402



SIGNATURE

Curtis B. HERBERT

NAME

45,443

REGISTRATION NUMBER



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,111	Stefan Barth	3581. 10US01

62274

DARDI & ASSOCIATES, PLLC  
220 S. 6TH ST.  
SUITE 2000, U.S. BANK PLAZA  
MINNEAPOLIS, MN 55402

RECEIVED

JUN 26 2008

INTERNATIONAL APPLICATION NO.
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PCT/EP2005/050131

I.A. FILING DATE	PRIORITY DATE
01/13/2005	01/16/2004

CONFIRMATION NO. 1350  
371 FORMALITIES LETTER



OC000000030564463

Date Mailed: 06/23/2008

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 07/14/2006
- Copy of the International Search Report filed on 07/14/2006
- Preliminary Amendments filed on 07/14/2006
- Information Disclosure Statements filed on 07/14/2006
- Biochemical Sequence Diskette filed on 04/21/2008
- Oath or Declaration filed on 10/12/2006
- U.S. Basic National Fees filed on 07/14/2006
- Priority Documents filed on 07/14/2006
- Specification filed on 07/14/2006
- Claims filed on 07/14/2006
- Abstracts filed on 07/14/2006
- Drawings filed on 07/14/2006
- Paper nucleotide sequence listings filed on 07/14/2006

Applicant's response filed 04/21/2008 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/22/2008 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Refer to attachment or PAIR document dated 05/08/08.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 3581.10US01

BARTH et al.

Confirmation No.: 1350

Application No.: 10/586,111

Filed: 14 July 2006

For: IMMUNOKINASES

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RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

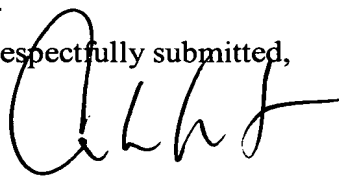
In response to the Notification of Defective Response mailed 23 June 2008, submitted herewith are:

1. Copy of the Notification of Defective Response mailed 23 June 2008 – 2 pages;
2. Third Preliminary Amendment – 3 pages;
3. Compact Disc Transmittal Sheet – 1 page;
4. 2 Identical Compact Discs;
5. Verified Statement under 37 C.F.R. § 1.821(f) – 1 page; and
6. Hard Copy of Sequence Listing – 19 pages.

Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notification of Defective Response.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-3863.

Respectfully submitted,



Curtis B. HERBERT  
Registration No. 45,443

Customer No. 62274  
Dardi & Associates, PLLC  
US Bank Plaza, Suite 2000  
220 South 6<sup>th</sup> Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 605-1038

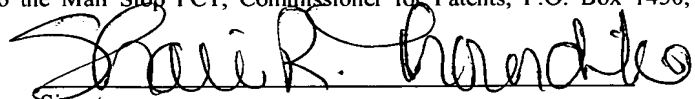
Application No. 10/586,111

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 50-3863.*

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV 918899354 US. Date of Deposit: 22 July 2008. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shari R. Thorndike  
Name of Person Making Deposit

  
Signature

**COMPACT DISC TRANSMITTAL SHEET FOR  
SUBMISSION OF SEQUENCE LISTING AND/OR TABLES  
TO THE UNITED STATES RECEIVING OFFICE UNDER  
PCT ADMINISTRATIVE INSTRUCTIONS - PART 8**

*For Receiving Office Use Only*

**International Application Number**

*For Receiving Office Use Only*

*For Receiving Office Use Only*

Date of transmission back to applicant

Date of receipt in RO/US

# CDs recvd.

**INTERNATIONAL APPLICATION DATA**

Applicant: BARTH et al.

File Reference: 3581.10US01

Title: IMMUNOKINASES

**APPLICANT'S CONTACT INFORMATION**

Name of Contact: Curtis B. HERBERT

Telephone Number: 612-605-1038

Facsimile Number: 612-746-3006

**SEQUENCE LISTING FILE**

Name of File (as per CD directory): SEQ List\_ST25.txt

Size of File (in bytes or kilobytes): 53 KB

Date of File (as per CD directory): 22 July 2008

**TABLES FILE(S) (use continuation box below if necessary)**

Name of File(s) (as per CD directory): \_\_\_\_\_

Size of File(s) (in bytes or kilobytes): \_\_\_\_\_

Date of File(s) (as per CD directory): \_\_\_\_\_

**STATEMENT**

I hereby certify that the four copies of the sequence listing part and/or the three copies of the tables part submitted herewith are identical.

Name of Person Signing: Curtis B. HERBERT (Reg. No. 45,443)

Signature of Applicant, Agent, or Common Representative: \_\_\_\_\_

**CONTINUATION OF TABLES FILE(S) (attach additional sheets if necessary)**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PCT RECEIVING OFFICE (RO/US)

In re the application of:

Attorney Docket No.: 3581.10US01

BARTH et al.

Confirmation No.: 1350

Application No.: 10/586,111

Filed: 14 July 2006

For: IMMUNOKINASES

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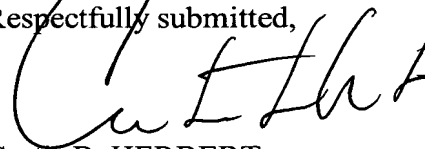
SUBMISSION OF DOCUMENTS

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed for filing in the above-identified application are the following documents:

1. Submission of Documents – 1 page;
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 – 3 pages;
3. Response to Notification of Defective Response – 2 pages;
4. Copy of the Notification of Defective Response mailed 23 June 2008 – 2 pages;
5. Third Preliminary Amendment – 3 pages;
6. Compact Disc Transmittal – 1 page;
7. 2 Identical Compact Discs;
8. Verified Statement under 37 C.F.R. § 1.821(f) – 1 page;
9. Hard Copy of Sequence Listing – 19 pages; and
10. Return Postcard.

Respectfully submitted,



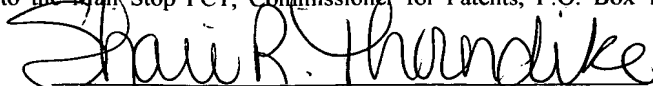
Curtis B. HERBERT  
Registration No. 45,443

Customer No. 62274  
Dardi & Associates, PLLC  
US Bank Plaza, Suite 2000  
220 South 6<sup>th</sup> Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 605-1038

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV 918899354 US. Date of Deposit: 22 July 2008. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shari R. Thorndike  
Name of Person Making Deposit

  
Signature